

## UNITED STATES DISTRICT COURT

for the  
Southern District of OhioFILED  
RICHARD W. NAGEL  
CLERK OF COURTUnited States of America  
v.

IVEN YOUNG

Defendant(s)

Case No.

3:22-mj-53

2/9/22

U.S. DISTRICT COURT  
SOUTHERN DIST. OHIO  
WEST. DIV. DAYTON

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 31, 2022 in the county of Montgomery in the  
Southern District of Ohio, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. §§ 922(g)(1) and 924(a)  
(2)

Felon in Possession of a Firearm

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

☒ Continued on the attached sheet.

Matthew Heiser

Complainant's signature

TFO Matthew Heiser, ATF

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by

Telephone \_\_\_\_\_ (specify reliable electronic means)

Date: 2/9/22City and state: Dayton, OhioPeter B. Silvain, Jr.  
United States Magistrate Judge

Judge



## AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Task Force Officer Matthew Heiser (“Affiant”), being duly sworn, depose and state the following:

1. I have been employed the city of Dayton Police Department for 20 years. I have been sworn as a task force officer with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) since May of 2020. I am a member of the Violent Offender Crime Task Force that investigates criminal organizations in the Southern District of Ohio. I have been involved in numerous investigations of federal firearms and narcotic violations. These investigations have resulted in the arrest and conviction of criminal defendants.
2. I make this affidavit in support of a criminal complaint and arrest warrant for **IVEN YOUNG (“YOUNG”)**, for a violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).
3. 18 U.S.C. §§ 922(g)(1) and 924(a)(2) prohibits any person who knows he has previously been convicted of a felony offense—i.e., an offense punishable by imprisonment for a term exceeding one year—from knowingly possessing any firearm or ammunition in and affecting interstate commerce.
4. I make this affidavit from personal knowledge based on my participation in this investigation, including witness interviews and reports by myself and/or other law enforcement agents, communications with others who have personal knowledge of the events and circumstances described herein, and information gained through my training and experience. The information outlined below is provided for the limited purpose of establishing probable cause and does not contain all details or all facts of which I am aware relating to this investigation.
5. On or about January 31, 2022, at approximately 11:43 pm, officers with the Dayton Police Department conducted a traffic stop near the 3000 block of North Gettysburg Avenue, Dayton, Ohio on a Chrysler 300, bearing Ohio license plate JKS8826 due to a window tint violation.
6. Officer Gallagher approached the driver side of the vehicle and requested **YOUNG**, the driver of the vehicle, to produce his driver’s license. **YOUNG** was unable to provide the requested identification and was asked to step out of the vehicle.
7. Officer Erwin requested the passenger step out of the vehicle so that a canine officer could initiate a free air sniff of the vehicle. The canine, a properly trained and certified narcotics-detection canine, gave a positive alert on the vehicle. Officer Gallagher searched the vehicle and discovered a loaded Springfield Armory XD .45 caliber firearm, serial number S3272071, directly under the driver’s seat. This firearm was listed as stolen out of Riverside, Ohio on or about April 9, 2021. There was also a firearm discovered under the passenger’s seat.

8. Detective Matthew Gray responded to the scene to interview **YOUNG**. Detective Gray interviewed **YOUNG**. The interview was video and audio recorded. Detective Gray read **YOUNG** his rights *Miranda* Rights. **YOUNG** acknowledged his rights and waived the same. Detective Gray asked **YOUNG** what kind of gun was located under his seat, and **YOUNG** stated he was not sure. **YOUNG** told Detective Gray that he purchased the firearm a few hours ago and had the firearm for protection. Detective Gray asked **YOUNG** if he had any convictions and **YOUNG** stated he was convicted of armed robbery. **YOUNG** described the firearm and stated that he believed it was loaded.
9. Pursuant to this investigation, I conducted a criminal record check of **YOUNG**. The criminal record check revealed that **YOUNG** was convicted of Aggravated Robbery, a felony of the first degree, in violation of Ohio Revised Code § 2911.01(A)(1). This conviction occurred in Montgomery County Common Pleas Court Case No. 2019 CR 02853 /3. This offense is a crime punishable by imprisonment for a term exceeding one year.
10. SA Chris Reed (an ATF Interstate Nexus Agent) examined the Springfield Armory XD .45 caliber firearm, serial number S3272071 and confirmed it had traveled in or affected interstate commerce.
11. Based on the above facts, I respectfully submit that there is probable cause to believe that on or about January 31, 2022, in the Southern District of Ohio, **YOUNG**, knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm, and the firearm was in and affecting commerce.

Further affiant sayeth naught.

*Matthew Heiser*

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Matthew Heiser  
Task Force Officer, ATF  
Dayton, Ohio

Subscribed and sworn to before me on this 9th day of February, 2022.

*P.B. Silvain, Jr.*  
Peter B. Silvain, Jr.  
United States Magistrate Judge

The seal of the United States District Court for the Southern District of Ohio is located to the right of the signature. It is a circular seal with a blue border containing the text "UNITED STATES DISTRICT COURT" at the top and "SOUTHERN DISTRICT OF OHIO" at the bottom. In the center is an eagle with its wings spread, perched on a shield with vertical stripes, and holding an olive branch and arrows.